IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1239 (S/S) of 2005

Sundar Singh Tanwar,
Son of Sri Murti Singh,
resident of Koldar, P.O. – Chamni,
Patti, - Makhalegi, at present
working as Parichar (Peon),
Government Inter College,
Boarari, District – Tehri Garhwal. ……Petitioner.

Versus

1. State of Uttaranchal, through Secretary, Education, Uttaranchal Shashan, Dehradun.
2. Regional Joint Director of Education, Pauri, District – Pauri Garhwal.
3. District Education Officer, Tehri Garhwal.
4. Principal, Government Girls Inter College, District– Tehri Garhwal.

……..Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri H.S. Rawal, learned counsel for the petitioner and learned standing counsel, who has accepted notices on behalf of respondents.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

By means of this writ petition, the petitioner, has challenged the order dated 30.07.2005 passed by respondent no. 3 i.e. District Education Officer, District – Tehri Garhwal, by which the petitioner, who is class IV employee, has been transferred from Government Girls Inter College, Boarari to Government Inter College, Kodal, on the administrative ground.

In paragraph 17 of the writ petition, it is submitted by the learned counsel for the petitioner that the work and performance of the petitioner has been found satisfactory and there is no complaint against his work and performances.

Petitioner being aggrieved by the impugned transfer order dated 30.07.2005 has made a representation before Regional Joint Director of Education, Pauri, District – Garhwal, (Annexure no. 7 to the writ petition) raising all his grievances.

In view of the aforesaid circumstances, it is in the interest of justice to direct the respondent no. 2 to decide the representation of the petitioner.

Accordingly, Regional Joint Director of Education, Pauri, District – Garhwal i.e. respondent no. 2 is directed to decide the petitioner's representation dated 18.08.2005 (Annexure no. 7 to the writ petition) within a period of three weeks' from today. Till the decision is taken on the representation of the petitioner by the respondent no.2, petitioner shall not be relieved, in case, he has not already been relieved.

Wit this direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

August 30, 2005
SKSharma